

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

BRUCE RHYNE and JANICE
RHYNE,

Plaintiffs,

v.

UNITED STATES STEEL
CORPORATION, et al.,

Defendants.

Civil Action No.: 3:18-cv-00197

**DEFENDANTS SAFETY-KLEEN SYSTEMS, INC. AND UNITED
STATES STEEL CORPORATION'S JOINT MOTION TO EXCLUDE
THE TESTIMONY, OPINIONS, AND REPORT OF DR. ROBERT HERRICK**

Pursuant to Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), Defendants Safety-Kleen Systems Inc. and United States Steel Corporation hereby jointly move the Court for an Order to exclude the testimony, opinions, and report of Plaintiffs' expert, Dr. Robert Herrick, for the reasons set forth in the separately-filed joint memorandum of law, and for such other and further relief as the Court deems just and proper.

Pursuant to Western District of North Carolina Local Rule 7.1(b), Safety-Kleen has consulted with Plaintiffs who do not consent to the Motion.

This the 7th day of April, 2020.

By: /s/ Eric G. Sauls

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CERTIFICATE OF SERVICE

This is to certify that the undersigned counsel has this date filed **JOINT MOTION TO EXCLUDE DR. ROBERT HERRICK** with the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

This the 7th day of April, 2020.

By: /s/ Peri A. Berger
Peri A. Berger